

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARTIN J. WALSH,)	
SECRETARY OF LABOR,)	
U.S. DEPARTMENT OF LABOR,)	
	Plaintiff,) CIVIL ACTION FILE
) NO. 22-cv-03246-JMG-SMB
v.)	
)	
PACKERS SANITATION SERVICES,)	
INC. LTD.,)	
	Defendants.)

DECLARATION OF SHANNON REBOLLEDO

I, Shannon Rebolledo, declare under penalty of perjury, as prescribed in 28 U.S.C. § 1746, that the following is true and correct:

1. I am a Regional Enforcement Coordinator in the U.S. Department of Labor Wage and Hour Division's Midwest Regional Office. I hereby incorporate all relevant portions of my November 7, 2022 declaration. See ECF Doc. No. 3-2.

2. The statements made herein are based on my training and experience, my personal knowledge, and observations made during the course of this investigation, as well as conversations with representatives and employees of Defendant Packers Sanitation Services, Inc., LTD ("PSSI") in this matter.

3. Following the application for temporary restraining order filing in which Wage and Hour initially identified thirty-one (31) minors working for PSSI, Wage and Hour has continued to review records. Wage and Hour has identified an additional nineteen (19) minors that worked for PSSI while under the age of 18 at various plants across the country. Of these nineteen (19) additional minors identified, one was 14-years-old, four were 15-years-old, five were 16-years-old, and nine were 17-years-old at the time work

was performed. In total, we have identified fifty (50) minors that worked at five different PSSI locations in Worthington, Minnesota; Marshall, Minnesota; Grand Island, Nebraska; Omaha, Nebraska; and Batesville, Arkansas. Wage and Hour has not finished reviewing records at all of the fifty plants for which we requested records, as there continues to be documentation not yet provided by PSSI and/or the production of authenticating information has not yet been provided from other sources.

4. As Wage Hour identifies minors who are included on the most recent records produced by PSSI and indicated as current employees, we have notified PSSI and continue to do so.

5. PSSI used a system to track applications called TalentReef. TalentReef Applications do allow for the easy identification of applicants who do not meet the age requirement for the applicant to be at least 18 years of age. TalentReef's PredixStar Report includes a section called "talentReef Pre-Q ScoreCard" that visually summarizes whether the applicant meets the hiring requirements: a green circle with a plus sign indicates "best"; a purple check mark indicates "satisfactory"; or a red stop sign shape indicates "warning". One of the categories listed on the ScoreCard is "18 YEARS OF AGE." If an applicant does not certify their age to be 18 or older, a red stop sign appears on the ScoreCard with an explanation that says, "Calculation based upon the Job Posting's requirement and/or preference for the applicant to be 18 years or older." Based on a review of documents PSSI provided, 6 of the 31 minor children initially identified by Wage and Hour failed to certify their age as 18 years or older through the TalentReef system. For example, the applications of Minor Children C, D, U, V, X, and Y all show they failed to certify their age to be over 18, yet they were all hired. In the box asking "Are you 18 Years or Older?," these minor

children's applications listed "N/A". A true and accurate copy of one of these applications, showing these issues, is attached hereto as Exhibit A. This document has been redacted to withhold identifying information.

6. We have not received from PSSI updated rosters to date that would indicate who has been terminated. We also are missing 83 employee profiles from 20 different locations, which are an essential part of our records review. Fourteen (14) locations have not yet been reviewed completely, and as such more employee profiles may be identified later.

7. Wage and Hour is still reviewing the documents regarding PSSI's operation in Sedalia, Missouri.

8. I have reviewed countless numbers of face scans as part of the records review process. Face scans are sometimes blurry, sometimes there is no clear person in the photo, or it is a photo of the ceiling only with no person present at all, some only show the top of an employee's head, or the lighting makes it hard even see the worker's face.

9. In one instance, a minor's name and work record show that the individual worked at a facility from July 2021 through October 2022. During that same time period, the same minor's information, including name and employee identification number, was shown to active at three other facilities in two different states with four overlapping time periods.

10. In another instance, a worker's name and employee identification number was reused at the same facility a year apart, although their facial scans clearly identify two separate individuals.

11. Another instance I found involved an identified minor who stopped working under one name and employee identification number, only to return to the same facility a few months later and began working under a completely different name and employee identification number.

12. I conducted surveillance at the Grand Island JBS plant in September and October 2022. While surveillance was performed at night, the parking lot was well lit and visibility was good.

13. I accompanied Marina Ramirez on a tour of the Grand Island JBS plant. She did briefly show us the fabrication side of the facility, but it was very loud and visibility was extremely poor. I did not interview any workers while touring the facility because it was too loud, there was high humidity, and it was not a safe location to interview. I asked workers whom I believed looked young what their names were, and I wrote the names on my tablet. I wrote down eleven names total. When we finished the tour, I requested to speak with the individuals whose names I had written down. Five of those workers were later confirmed to be minors. I interviewed the workers in the cafeteria on the same day as the tour.

14. In my seventeen and a half years with Wage and Hour, I have only had to ask a manager or employer representative to leave the area while I interviewed workers on one occasion. In my experience, after explaining that interviews are confidential and must be conducted in private, it is not the normal practice for managers or supervisors to walk around the area, sit across the table as workers are interviewed, etc.

Executed on this 5 day of December, 2022.



Shannon Rebolledo
Regional Enforcement Coordinator
Wage and Hour Division
U.S. Department of Labor

talentReef PredixStarSM Report Food Safety Team Member – General Labor (Night)

Pre-QSM :

Posi-FitSM :

AssessSM :



Legend: Best

Satisfactory

Caution

Warning

talentReef VoiceViewSM



talentReef Pre-Q ScoreCard (summary)

DISTANCE TO WORK		Analysis of Applicant's approx. distance from job location. Cross matched against job posting and applicant's preference.
WORK PREFERENCE		Applicant's ability to work required shift(s) (full time, part time or temporary/seasonal). Weighted by preference.
SHIFT PREFERENCE		Applicant's willingness to work required shift(s) (Days, Afternoons or Nights). Weighted by preference.
DAY OF WEEK AVAILABILITY		Applicant's flexibility/availability to work particular days of the week.
SCHEDULE FLEXIBILITY		Applicant's willingness to work a changing schedule.
18 YEARS OF AGE		Calculation based upon the Job Posting's requirement and/or preference for the applicant to be 18 years or older.
RELIABLE TRANSPORTATION		Applicant's ability to provide reliable transportation compared against the Job Posting's requirement and/or preference.
EXPECTED WAGE		Calculation based upon the applicant's desires or expected wage as compared to the salary range of the Job Posting.
LEVEL OF EDUCATION		Comparison of the applicant's education level against the Job Posting's educational requirements and/or preferences.

talentReef Posi-Fit Critical List

- Are you willing and able to work around and with different types of chemicals and cleaning products? (¿Está dispuesto y capaz de trabajar cerca y con diferentes tipos de quí...)
- Are you willing and able to wear employer specified PPE (gloves, face shield, goggles, aprons, boots etc.)? (¿Está dispuesto y capaz de llevar el PPE especificado por el empleo...)
- Are you willing and able to work in Wet, Dry, Hot and Cold environments? (¿Está dispuesto y capaz de trabajar en entornos húmedos, secos, calientes y fríos?)
- Are you willing and able to lift equipment weighing at least 20 lbs.? (¿Está dispuesto y capaz de levantar equipo que pese al menos 20 libras?)

"Taking the Guesswork Out of Hiring"

Last Name	First Name	Middle Name	Last Updated
Street Address		Apartment/Box Number/Etc	Req #
City	State/Province		Zip/Postal Code
Primary Telephone Number		Secondary Telephone Number	
E-mail Address		SSN	XXX XX

As an equal opportunity employer, Packers Sanitation Services, Inc., Ltd considers applicants for all positions without regard to race, color, sex, religion, national origin, disability, age, height, weight, marital status, sexual orientation, familial status, genetic information or any other characteristic or protected classes as defined by federal, state, or local law.

PERSONAL INFORMATION

Are You 18 Years or Older? If NO --> (YES/NO)	Can you provide a Work Permit? (YES/NO)	Are you legally eligible to work in the country where you wish to work? (YES/NO)	Do You Have Reliable Transportation? (YES/NO)
N/A			

Tell Us About Yourself

WORK SCHEDULE / PREFERENCES / AVAILABILITY

If Offered a Position, What is the Earliest Date You Can Start? (Check ONE)		What are your Minimum Expected Earnings?	How far are you willing to travel to work?
Work Preference? - (Full Time, Part Time, or Temporary)	Second Choice (Optional)	Third Choice (Optional)	If Necessary, are you willing to work a Changing Schedule? (Yes, Occasionally, No)
Shift Preference? - (Days, Afternoons, Nights)	Second Choice (Optional)	Third Choice (Optional)	
Select Which Days of the Week You are Available to Work (Check All That Apply)			

EDUCATION

Select the HIGHEST Grade you Completed in High School/Secondary School (Check ONE)		Did You Graduate? (YES/NO)	
High School/Secondary School Name	School City	State/Province	School Country
Select the HIGHEST Level of Education Completed in College/University (Check ONE)			
College/University Name	College/University City	State/Province	College Country
Describe Course of Study			
Trade School Name	Trade School City	Trade School	Trade School Country
Describe Course of Study			

"Taking the Guesswork Out of Hiring"